

Preventing Secret Trespasses in Timber, &c. 263



Acts and Laws

Passed by the General Court or Assembly of His Majesty's *English* Colony of *Connecticut* in *New England* in *America*: Begun, and Held at *Hartford*, on the Second Thursday of *May*, in the Twenty Fifth Year of the Reign of Our Sovereign Lord *GEORGE the Second*, of *Great-Britain*, &c. KING. *Anno que Domini*, 1752.

An Act to prevent Secret Trespasses in Taking up, and Disposing of Saw-Mill Logs, and other Timber, Shingles, and Staves floating, or floated down *Connecticut-River*.

WHEREAS large Quantities of Logs, and other Timber, Shingles, and Staves are floated down the said River, and in a Secret Manner are Taken up, and Clandestinely Disposed of, so that it's very Difficult in the common Course of the Law to Prove the same; so that great Loss, and Damage thereby happens to the Owners thereof. *Preamble.*

Which to Prevent:

Be it Enacted by the Governour, Council, and Representatives, in General Court Assembled, and by the Authority of the same, That when any Person, or Persons shall Take up any Logs, Timber, Shingles, or Staves floating, or floated down the said River, the Logs, and Timber fairly being Marked, and the Shingles, and Staves Bundled up, he shall tite Seise, or well Secure the same; and that within one Week next after his, or their Taking up, Stopping, and Seising the same, Enter the same with the Kind, Bigness, Length, and Marks of the Logs, and Timber; the Number of Bundles, and the Kind of the Shingles, and Staves, and by whom Taken up, and the Places where they lye, with such Clerk, or Clerks where Strays, and lost Goods are by Law to be Enter'd; and shall let such Logs, Timber, Shingles,

Any persons taking up or Seise any Logs or Timber, or bundles of Shingles, or Staves, well to Secure the same, & in 1 Week to Enter the same with the Clerk, &c.

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and

Penalty for
Selling Logs,
Shingles, &c.
found floating,
in less than 6
Months.

A Reward for
securing &c.
drift Logs,
Shingles &c.,

Forfeit for
taking away
Timber, &c.
when taken
up, enter'd &c.

If no Owner,
to be Sold at
6 Months.

Power of a
Justice, &c.

and Staves lye, without Disposing thereof, or any ways Defacing the Marks thereon, full Six Months after the first Entering the same ; on Penalty of Forfeiting, and Paying to the Owner, or Owners of such Logs, Timber, Shingles, or Staves, viz. the Sum of *Ten Shillings* for every Log, or other Stick of Timber not exceeding Thirty Feet in Length, and double the Value of such Shingles, or Staves ; and *Ten Pounds* for every Log, or other Stick of Timber which exceeds Thirty Feet in Length : And every Person, or Persons Taking up, Safe Securing, and Entering any Logs, Timber, Shingles, or Staves shall be Entitled to a Fee of *One Shilling*, and *Two-pence* for Taking, Seifing, and Entering any Log, or Stick of Timber not Exceeding Thirty Feet in Length, and the same Sum for every Bundle of Shingles, or Staves : *Three-pence* whereof shall be allowed and paid to the Clerk for Entering the same ; and *Four Shillings*, and *Two-pence* for every Log, or Stick of Timber which Exceeds that Length ; *Three-pence* whereof to be paid to the Clerk, as aforesaid.

And that no Owner, or Owners of such Logs, Timber, Shingles, or Staves shall Take away any such Logs, Timber, Shingles, or Staves Taken up, Secur'd, and Enter'd, as aforesaid, until he has paid the Fees aforesaid, on Penalty of Forfeiting, and Paying to him, or them that Took up, Secur'd, and Enter'd the same, as aforesaid, the Sum of *Ten Shillings* for each Log, or Stick not Exceeding Thirty Feet in Length, and the Value of the Shingles, and Staves, so Taken up, Secur'd, and Enter'd, as aforesaid, and *Five Pounds* for each Log, or Stick of Timber above Thirty Foot Long.

And if no Owner appear to Challenge, and make out his Claim thereto within Six Months next after the Entering thereof, it shall, and may be Lawful for him, or them that Took up, Secur'd and Enter'd the same to Dispose thereof to his, or their own Use without being Accountable to the Owners therefor.

And when any Dispute shall arise in any Action brought on this Act, it shall, and may be Lawful for the Court, Assistant, or Justice of the Peace before whom the Trial may be, to proceed to Examine the Parties under Oath, and all other Evidence produced ; and to make up such Judgment therein as to them shall appear Equitable and Just.

An Act to prevent the Bills of Credit, lately Emitted by the Colony of Rhode-Island, and Providence Plantations, passing in this Colony.

Rhode-Island
Bills made
since Dec. 25
1750. not to
pass.

Proviso.

BE it Enacted by the Governour, Council, and Representatives, in General Court Assembled, and by the Authority of the same, That no Bill, or Bills of Credit of the said Colony of Rhode-Island, and Providence Plantations, which have been Emitted, or Issued in that Colony since the Twenty Fifth Day of the Month of December, which was in the Year of Our Lord *One Thousand Seven Hundred, and Fifty*, shall be allowed to Pass, or be Currant in this Colony, or to Answer, Discharge, or Satisfy any Contract, Debt, Duty, or Demand whatsoever.

Provided nevertheless, That nothing herein Contained shall be Construed, or Understood to Prohibit, or make Void the Delivery, or Payment of such late Emitted Bill, or Bills in Satisfaction, or Discharge of Contracts in Writing heretofore made, wherein such Bills are Expressly Contracted for, in Case the same Bills shall be Delivered, or Tendered by the Time fixed in such Contracts for the Payment thereof.

An Act

John Packlure

Anno Regni Regis GEORGIJ II. Vigesimo Quinto.

Court of Probate at Middletown, & Pomphret. 265

An Act for Making, and Naming a new District for a Court of Probate in this Colony, and Erecting a Court of Probate therein.

Vid pag 33.
Courts of Pro-
bate appoint-
ed.

BE it Enacted by the Governour, Council, and Representatives in General Court Assembled, and by the Authority of the same, That the Town of *Middletown*, except that part thereof that lyeth South of *Salmon-River*, and the Towns of *Haddam* and *Durham* shall be one District of, or for a Court of Probate, and shall be called, and known by the Name of the District of *Middletown*: And that in the said District there shall be a Court of Probate held by one Judge to be Appointed, and Commissioned for that purpose according to Law, who shall have a Clerk by him to be Appointed, and Sworn to that Office: Which Court shall have, and exercise the same Powers, Authorities, and Privileges that the other Courts of Probate in this Colony have by Law. And all Appeals from said Court of Probate shall be Regulated, and Governed according to the Order, and Directions of the Law respecting Appeals from the Courts of Probates in this Colony.

The District
of Middle-
town.

Provided nevertheless, That all Matters, and Business that has been Begun, Entered, or are Depending in either of the Courts of Probate in the Districts of *Hartford*, *Guilford*, or *East-Haddam*, shall be Issued and Finished in such Courts Respectively where Begun, Entered, or Depending, as thō this Act had not been made, any Thing therein contained notwithstanding.

A proviso.

An Act for Making, and Naming a District for a Court of Probate in the North-East Part of this Colony; and Erecting a Court of Probate therein.

Vid pag 34.
Districts of the
Courts of Pro-
bate in this
Colony.

BE it Enacted by the Governour, Council, and Representatives, in General Court Assembled and by the Authority of the same, That the Towns of *Pomphret*, *Windsock*, *Ashford*, *Morilake*, and *Union*, and the two North Societies in *Killingly*, shall be one District of, or for a Court of Probate; and shall be called and known by the Name of the District of *Pomphret*: And that in the said District there shall be a Court of Probates held by one Judge to be Appointed, and Commissioned for that Purpose according to Law; who shall have a Clerk by him to be Appointed, and Sworn to that Office: Which Court shall have, and exercise the same Powers, Authorities, and Privileges that the other Courts of Probate in this Colony by Law have, and are Respectively Vested with. And all Appeals from said Court of Probates shall be Regulated, and Governed according to the Order, and Directions of the Law, respecting Appeals from the Courts of Probate in this Colony.

The District
of Pomphret.

Provided nevertheless, That all Matters, and Business that hath been Begun, Entered, or are Depending in either of the Courts of Probates in the Districts of *Windham*, or *Plainfield*, shall be Issued, and Finished in such Courts Respectively where Begun, Entered, or Depending, as thō this Act had not been made, any Thing therein contained notwithstanding.

A proviso.

An Act

266 Additional Acts about Sicknes, & killing Wolves.

An Act in Addition to an Act, Entituled, An Act Providing in case of Sicknes.

Vid. pag. 225.
226, 227, 228

Preamble.

WHEREAS in said Act no Provision is made to prevent bringing into this Colony from Places Visited with Infectious Diseases, Goods, Wares, and Merchandize, and Landing, or Exposing them to Sale without being sufficiently Aired.

Persons bringing Goods by Land, or Water, from any Place Infected with the smallpox, &c. Exposing them to Sale, without Liberty of any 2 Select men of the Town, to pay 20 l.

Be it Enacted by the Governour, Council, and Representatives in General Court Assembled, and by the Authority of the same, That if any Person shall bring into any Town in this Colony either by Land, or Water, from any Place Infected with the Small-Pox, or any other Mortal Contagious Disease, any Goods, Wares, or Merchandize, and Land them, or Expose them to Sale, without Liberty from Two, or more of the Select-Men of said Town first had, and Obtained in Writing under their Hands, such Person shall Forfeit the Sum of Twenty Pounds Money: One half of said Penalty to the Informer who shall Prosecute the same to Effect: The other half to the Treasury of the Town in which such Goods are Landed, or Exposed to Sale.

Select mens Judgment, & Power.

To give Certificates.

Be it further Enacted by the Authority aforesaid, That it shall be the Duty of the Select-Men, upon Application to them made, to make speedy Examination whether it be necessary to Air such Goods, Wares, or Merchandize brought in as aforesaid; and if they Judge it not Necessary to Air them, they shall then give a Certificate to the Person, or Persons Applying therefor, and liberty to Land, or Sell the same. And whensoever any Goods, Wares, and Merchandize brought in, as aforesaid, are suitably Aired, said Select-Men shall give a Certificate thereof to the Person whose Goods, Wares, and Merchandize are thus Aired, with Liberty to Land, or Sell the same accordingly.

21 JULY 60

An Act in Addition to, and Alteration of an Act of this Colony, Entituled, An Act to Encourage the Destroying of Wolves.

Vid. pag. 256.

Rehearsal of a Paragraph in said Act.

WHEREAS it is Provided in, and by said Act, ' That if any ' Person shall Kill, or Destroy any grown Wolf, or Wolves, or ' Panther within the Bounds of any Town in this Colony, he shall have ' Three Pounds paid out of the Publick Treasury of this Colony; and ' every English Man that shall Kill, and Destroy any Wolf, or Panther shall ' have Twenty Shillings paid by such Town in whose Bounds such Wolf, ' or Panther was Killed; and half so much for every Wolf's Whelp.

The Colony to pay the Præmia for killing Wolves, &c.

It is therefore Enacted, and Resolved by this Assembly, That the Whole of said Præmia for the Killing of Wolves, and Panthers, shall be paid out of the Publick Treasury of this Colony, any Law, Usage, or Custom to the contrary notwithstanding.

New-London, Printed, and Sold by TIMOTHY GREEN, Printer to the GOVERNOUR, and COMPANY of His MAJESTY's Colony of Connecticut, aforesaid, 1752.